

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**APPELLATE SIDE**

CIVIL APPLICATION NO. 3891 OF 2006
IN
CIVIL APPLICATION NO. 3056 OF 2005
IN
FIRST APPEAL NO. 1256 OF 2005
IN
SPECIAL CIVIL SUIT NO. 565 OF 1999

M/s. SHRISTEE NURSERY SYSTEMS .. APPLICANT

Versus

THE STATE OF MAHARASHTRA & ORS... RESPONDENTS

Mr. R. D. Soni i/b A.D. Avhad for applicant
Mr. Ravi Kadam, Advocate General with A. R. Patil,
AGP for respondents 1 to 3

CORAM:-SMT. RANJANA DESAI &

SMT. V.K. TAHILRAMANI, JJ.

DATED:-27/9/2006

P.C.

. Heard Mr. Soni, the learned counsel appearing for the applicant and Mr. Kadam, learned Advocate General.

2. In our opinion, in the facts of the case, the following order will meet the ends of justice.

3. We are informed that fifty percent of the principal amount has been deposited by the

respondents in this court. The applicant is permitted to withdraw sixty percent of the said amount after furnishing security to the satisfaction of the Registrar General of this court. Rest of the amount can be withdrawn after furnishing bank guarantee to the satisfaction of the Registrar General of this court.

4. Civil application is disposed of.

5. Liberty to the parties to move the court for fixing early date of hearing.

(SMT. RANJANA DESAI, J.)

(SMT.) V.K. TAHILRAMANI, J.)